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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK**

**DMITRIY SEREBRYAKOV AND DMITRIY  
KURAMYSHEV individually and On behalf of all  
other similarly situated persons,**

Plaintiff,

**ECF Case**

-against-

GOLDEN TOUCH TRANSPORTATION OF NY, INC.  
and LOKEKO INC., and DOUBLE "K" USA, CORP. and  
KONSTANTIN DERGUNOV

12-cv-03990

Defendants.

**NOTICE OF PLAINTIFFS' MOTION TO CONDITIONALLY  
CERTIFY A FAIR LABOR STANDARDS ACT COLLECTIVE ACTION AND  
AUTHORIZE NOTICE TO BE ISSUED TO ALL PERSONS SIMILARLY SITUATED**

PLEASE TAKE NOTICE, that upon the following memorandum of law, the declaration of Gennadiy Naydenskiy, Esq., the accompanying declarations of Named Plaintiffs Dmitriy Serebryakov and Dmitriy Kuramyshev and all pleadings and supporting materials filed herein, Plaintiffs hereby move this Court for an order conditionally certifying a Fair Labor Standards Act ("FLSA") collective action and authorizing notice to be issued to all persons similarly situated so that they may be informed of the action and given a meaningful opportunity to "opt-in" to the action as plaintiffs by also asserting FLSA claims.

PLEASE TAKE FURTHER NOTICE, that the motion will be heard at 225 Cadman Plaza East, Brooklyn, New York 11201 in the courtroom of the Honorable Ramon E. Reyes Jr., United States Magistrate Judge, at a time to be set by the Court.

For the Court's convenience, attached hereto as Exhibit "A" please find Plaintiffs' [PROPOSED] ORDER ON PLAINTIFFS' MOTION TO CONDITIONALLY CERTIFY A FAIR LABOR STANDARDS ACT COLLECTIVE ACTION AND AUTHORIZE NOTICE TO BE ISSUED TO ALL PERSONS SIMILARLY SITUATED.

Dated: New York, New York  
May 1, 2015

Respectfully submitted,

**NAYDENSKIY LAW GROUP P.C.**

s/  
Gennadiy Naydenskiy GN(5601)  
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*Attorneys for Plaintiffs and the putative  
collective Plaintiffs*

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X

DMITRIY SEREBRYAKOV AND DMITRIY  
KURAMYSHEV individually and On behalf of all  
other similarly situated persons,

**INDEX: 12-cv-03990**

Plaintiffs,

GOLDEN TOUCH TRANSPORTATION OF NY,  
INC. and LOKEKO INC., and DOUBLE "K" USA,  
CORP. and KONSTANTIN DERGUNOV

Defendants.

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**[PROPOSED] ORDER ON PLAINTIFFS' MOTION TO CONDITIONALLY CERTIFY  
A FAIR LABOR STANDARDS ACT COLLECTIVE ACTION AND AUTHORIZE  
NOTICE TO BE ISSUED TO ALL PERSONS SIMILARLY SITUATED**

THIS MATTER came before the Court on Plaintiffs' Motion to Conditionally Certify a Fair Labor Standards Act Collective Action and Authorize Notice to be Issued to All Persons Similarly Situated and related relief, and the Court, having reviewed the said motion, the responses and replies thereto, if any, and the case file herein, and now being sufficiently advised in the premises,

HEREBY ORDERS that Plaintiffs' Motion is GRANTED, and FURTHER ORDERS that:

1. The collective action notice entitled "NOTICE OF LAWSUIT WITH OPPORTUNITY TO JOIN" and the "CONSENT TO BECOME A PARTY PLAINTIFF," attached to the Declaration of Gennadiy Naydenskiy, Esq. as Exhibit "D" and Exhibit "E" respectively, are hereby approved for mailing to potential plaintiffs; and
2. All current and former drivers, including drivers classified as "independent contractors", who worked for, or contracted with, Defendants Konstantin Dergunov, Lokeko Inc., or Double "K" USA, Corp. at any time between August 10, 2006 to \_\_\_\_\_.[Insert date of this Order]; and

3. Defendants shall provide to Plaintiffs, within ten (10) days following the date of this Order, the names, addresses, phone numbers and email addresses of all potential plaintiffs who worked in the above positions from on or after August 10, 2006 to\_\_\_\_\_. [Insert date of this Order] This information shall be supplied in paper form, and also digitally in one of the following formats: Microsoft Excel; or Microsoft Word.

4. Plaintiffs shall mail the notice of collective action to all potential plaintiffs no later than ten (10) days following Defendants' disclosure of the contact information for the potential plaintiffs; and

5. Defendants shall post the "NOTICE OF LAWSUIT WITH OPPORTUNITY TO JOIN," attached to the Declaration of Gennadiy Naydenskiy, Esq. as Exhibit "D" and the "CONSENT TO BECOME A PARTY PLAINTIFF" form, attached to the Declaration of Gennadiy Naydenskiy, Esq. as Exhibit "E" at Defendants' Lokeko and Double "K" locations in a location visible to all of Defendants' employees; and

6. Plaintiff is permitted to mail the "DEADLINE REMINDER LETTER" in the form attached as Exhibit "F" to the Declaration of Gennadiy Naydenskiy, Esq., to all potential plaintiffs prior to the termination of the opt-in period; and

7. All potential plaintiffs must opt-in no later than 60 days after the date of the mailing of the notice, by returning the executed form entitled "CONSENT TO BECOME A PARTY PLAINTIFF" to Plaintiffs' counsel before that date. Plaintiffs' counsel shall thereupon promptly file such executed consents with the Court.

DATED this day of\_\_\_\_\_, 2015

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HONORABLE RAMON E. REYES Jr.  
UNITED STATES MAGISTRATE JUDGE